

106TH CONGRESS
1ST SESSION

H. R. 1659

To reinforce police training and reestablish police and community relations, and to create a commission to study and report on the policies and practices that govern the training, recruitment, and oversight of police officers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 1999

Mr. SERRANO (for himself and Mr. HYDE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To reinforce police training and reestablish police and community relations, and to create a commission to study and report on the policies and practices that govern the training, recruitment, and oversight of police officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Police Train-
5 ing Commission Act of 1999”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “National Police Training Commission” (hereinafter in
4 this Act referred to as the “Commission”).

5 **SEC. 3. MEMBERSHIP.**

6 (a) NUMBER AND APPOINTMENT.—The Commission
7 shall be composed of 5 members appointed as follows:

8 (1) The majority and minority leaders of the
9 Senate shall each appoint 1 member.

10 (2) The Speaker of the House of Representa-
11 tives and the minority leader of the House shall each
12 appoint 1 member.

13 (3) The 4 members appointed under para-
14 graphs (1) and (2) shall then select 1 member.

15 (b) ELIGIBILITY AND QUALIFICATIONS.—

16 (1) ELIGIBILITY.—The members of the Com-
17 mission shall be individuals who have knowledge or
18 expertise, whether by experience or training, in mat-
19 ters to be studied by the Commission under this Act.
20 The members may be from the public or private sec-
21 tor, and may include Federal, State, or local officers
22 or employees, members of academia, non-profit orga-
23 nizations, or other interested individuals.

24 (2) QUALIFICATIONS.—The members of the
25 Commission shall be individuals who possess relevant

1 backgrounds, credentials, and experience in some or
2 all of the following:

3 (A) Civil and criminal litigation.

4 (B) Administrative and management func-
5 tions of law enforcement in major cities and
6 smaller communities.

7 (C) Community relations.

8 (c) TERM.—Each member shall be appointed for the
9 life of the Commission.

10 (d) LENGTH OF COMMISSION.—The Commission
11 shall cease to exist 180 days after the initial appointment
12 of the 4 members described in paragraphs (1) and (2) of
13 subsection (a).

14 (e) VACANCIES.—Except as otherwise provided in
15 this subsection, a vacancy in the Commission shall be filled
16 in the manner in which the original appointment was
17 made, and shall not affect the power of the remaining
18 members to execute the duties of the Commission. If any
19 of the original appointments are not made by the day that
20 is 30 days after the date of the enactment of this Act,
21 any members already appointed shall fill any vacancy ex-
22 isting on that date.

23 (f) MEETINGS.—The Commission shall meet at the
24 call of the Chairperson.

1 (g) CHAIRPERSON.—The Chairperson of the Commis-
2 sion shall be elected by the members.

3 **SEC. 4. FUNCTIONS.**

4 (a) STUDY.—The Commission shall conduct a study
5 of the effectiveness of training, recruiting, hiring, over-
6 sight, and funding policies and practices in law enforce-
7 ment, including the following:

8 (1) Training: policies, practices, and organiza-
9 tional strategies of law enforcement, and training
10 and instruction in the use of force, the use of non
11 lethal force, tactical and defensive tactical; arrests,
12 searches and handcuffing; verbal communication; ve-
13 hicle use; community relations and sensitivity train-
14 ing of law enforcement vis a vis the community and
15 the community vis a vis law enforcement.

16 (2) Recruitment and Hiring: policies and prac-
17 tices in hiring and recruiting law enforcement offi-
18 cers and identifying and setting standards for hiring
19 regarding educational and psychological back-
20 grounds; diversity; lengths of probationary periods.

21 (3) Oversight: complaint procedures regarding
22 police officers, including screening, organization, and
23 training of investigatory staff; due process require-
24 ments for, and obstacles to, ensuring objective and

1 timely investigations; discrimination and harass-
2 ment; the “code of silence

3 (4) Funding: the effectiveness of the use of
4 funding for programs relating to matters described
5 in paragraphs (1) through (3) of this subsection,
6 whether derived from the Violent Crime Control and
7 Law Enforcement Act of 1994 or otherwise, by cities
8 listed in section 210501 of such Act.”.

9 (b) REPORT.—Not later than 180 days after the ini-
10 tial appointment of the 4 members described in para-
11 graphs (1) and (2) of section 3(a), the Commission shall
12 submit a report to Congress of the results of its study,
13 including any recommendations the Commission may
14 make with regard to the matters studied.

15 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

16 (a) INFORMATION FROM FEDERAL AGENCIES.—The
17 Commission may secure directly from any Federal depart-
18 ment or agency such information as the Commission con-
19 siders necessary to carry out its duties under section 4.
20 Upon the request of the Commission, the head of such
21 department or agency may furnish such information to the
22 Commission.

23 (b) COMPENSATION OF MEMBERS.—Each member of
24 the Commission who is not an officer or employee of the
25 Federal Government, or whose compensation is not pre-

1 cluded by a State or local government position, shall be
2 compensated at a rate equal to the daily equivalent of the
3 annual rate of basic pay prescribed for level IV of the Ex-
4 ecutive Schedule under section 5315 of title 5, United
5 States Code, for each day (including travel time) during
6 which such member is engaged in the performance of the
7 duties of the Commission. All members of the Commission
8 who are officers or employees of the United States shall
9 serve without compensation in addition to that received
10 for their services as officers or employees of the United
11 States.

12 (c) TRAVEL EXPENSES.—The members of the Com-
13 mission shall be allowed travel expenses, including per
14 diem in lieu of subsistence, at rates authorized for employ-
15 ees of agencies under subchapter I of chapter 57 of title
16 5, United States Code, while away from their homes or
17 regular places of business in the performance of service
18 for the Commission.

19 (d) STAFF.—

20 (1) IN GENERAL.—The Chairman of the Com-
21 mission may, without regard to the civil service laws
22 and regulations, appoint and terminate an executive
23 director and such other additional personnel as may
24 be necessary to enable the Commission to perform
25 its duties. The employment and termination of an

1 executive director shall be subject to confirmation by
2 a majority of the members of the Commission.

3 (2) COMPENSATION.—The executive director
4 shall be compensated at a rate not to exceed the rate
5 payable for level V of the Executive Schedule under
6 section 5316 of title 5, United States Code. The
7 Chairman may fix the compensation of other per-
8 sonnel without regard to the provisions of chapter
9 51 and subchapter III of chapter 53 of title 5,
10 United States Code, relating to classification of posi-
11 tions and General Schedule pay rates, except that
12 the rate of pay for such personnel may not exceed
13 the rate payable for level V of the Executive Sched-
14 ule under section 5316 of such title.

15 (3) DETAIL OF GOVERNMENT EMPLOYEES.—
16 Any Federal Government employee, with the ap-
17 proval of the head of the appropriate Federal agen-
18 cy, may be detailed to the Commission without reim-
19 bursement, and such detail shall be without inter-
20 ruption or loss of civil service status, benefits, or
21 privilege.

22 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
23 TENT SERVICES.—The Chairman of the Commission may
24 procure temporary and intermittent services under section
25 3109(b) of title 5, United States Code, at rates for individ-

1 uals not to exceed the daily equivalent of the annual rate
2 of basic pay prescribed for level V of the Executive Sched-
3 ule under section 5316 of such title.

4 (f) MEETINGS.—The Commission shall meet at the
5 call of the Chairman.

6 (g) QUORUM; VOTING; RULES.—Two members of the
7 Commission shall constitute a quorum to conduct busi-
8 ness. Each member of the Commission shall have one vote,
9 and the vote of each member shall be accorded the same
10 weight. The Commission may establish by vote of a major-
11 ity of its members any other rules for the conduct of the
12 Commission’s business, if such rules are not inconsistent
13 with this Act or other applicable law.

14 **SEC. 6. TRAINING.**

15 Section 210501 of the Violent Crime Control and
16 Law Enforcement Act of 1994 is amended—

17 (1) in subsection (b)(1)(A), by inserting “, and
18 provide, under paragraph (4), training, recruitment,
19 hiring, and oversight assistance” before the semi-
20 colon; and

21 (2) in subsection (b), by adding at the end the
22 following:

23 “(4) The training, recruitment, hiring, and
24 oversight assistance under paragraph (1)(A) shall be
25 given to the following cities: New York, Chicago, Los

1 Angeles, and Washington. The money appropriated
2 for such assistance shall be distributed to those cit-
3 ies in proportion to the size of their police depart-
4 ments. There are authorized to be appropriated for
5 fiscal year 2000 for the purposes of such assistance
6 the sum of \$3,000,000.”.

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